IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.6784 OF 2005

Smt. Hirabai Vitthal Thakare. ...Petitioner.
Vs.
The State of Maharashtra & Ors. ...Respondents.
....
Mr. A. R. Pitale for the Petitioner.
Mr. R. D. Rane, GP for Respondent No.1.
Mr. S. P. Thorat for Respondent No.2.
.....
CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

January 12, 2006.

P.C.

The Petitioner is aggrieved by her non-appointment as Anganwadi Sevika. The Government of Maharashtra issued a G.R. dated 9th February 2005 pursuant to closure of earlier scheme and a new scheme having been started. The Government, G.R. requires that for the post of Anganwadi Sevika under the Ekatmak Child Welfare Service Scheme, the Mini Anganwadi Sevikas/Balwadi Teachers should be given direct appointment as Anganwadi Sevikas. It is further provided that if the Mini Anganwadi Sevikas/Balwadi Teachers are not fulfilling the eligibility required for these posts, they will be given direct

appointment as Assistants.

In the instant case, the Petitioner has been appointed as Assistant, as the Petitioner did not possess the minimum requirement of having passed VIII standard. We, therefore, do not find that the action of Respondent Nos.1 to 3 is arbitrary or contrary to the G.R. dated 9th February 2005. Our attention was invited to para 4 of the G.R. which contemplates that if a vacancy arises, the Assistant working in that Anganwadi and having qualification, should be appointed as Anganwadi Sevika. If the Petitioner in the meantime attains necessary qualification and if vacancy thereafter arises, the Petitioner will have to be considered in terms of para 4 of the G.R. dated 9th February 2005.

With the above observations, the petition stands disposed of.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)